

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koji (nmi) Takeguchi
Serial No.: 10/775,929
Filing Date: February 10, 2004
Title: *Upgraded Flexible Open Ring Optical Network and Method*

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 324642872 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <u>Willie Jiles</u> Willie Jiles</p> <p>Date: April 20, 2004</p>

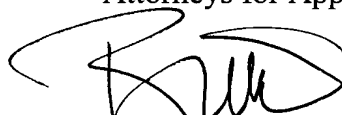
INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §§ 1.56, .97, and .98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

REMARKS

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes this Information Disclosure Statement has been filed before the mailing date of the first Official Action. Therefore, Applicant believes no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant



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Customer Number

05073

PTO-1449		Application No. 10/775,929		Applicant(s) Koji (nmi) Takeguchi	
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 12px;"> INFORMATION DISCLOSURE CITATION IN AN APPLICATION APR 21 2004 </div> </div>		Docket Number 064731.0350		Group Art Unit Unknown	
				Filing Date February 10, 2004	

U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,771,112	06/23/1998	Hamel et al.	359	128	06/17/1996
	B	5,778,118	07/07/1998	Sridhar	385	24	12/03/1996
	C						
	D						
	E						
	F						

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	G	WO 99/65164	23/16/1999	PCT	H04B	10/213	X	
	H							
	I							

NON-PATENT DOCUMENTS			
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	J	Kinoshita et al., "Flexible Twin Open Ring Metro WDM Network," OECC, pp. 713-14	October 2003
	K	Tian et al., "OUPSR Protected Flexible Metro WDM Network," ECOC, pp. 826-27	2003
	L	Boskovic et al., "Broadcast and Select OADM Nodes Application and Performance Trade-offs," OFC, pp. 158-59	2002
	M	Kinoshita et al. "Flexible Metro WDM Network with Photonic Domains", Fujitsu Laboratories of America, Inc., 3 pages	February 24-26, 2004
	N	Suzuki et al., "Prototype of 12.5GHz-Spaced Tapped-Type OADM for DWDM Metro Ring Networks," ECOC-IOOC Proceedings - Vol. 4, pp. 902-903	September 21-25, 2003
	O	Wolde, J., et al., "Optical Ethernet Metro Access Network Prototype: Implementation and Results," ECOC-IOOC 2003, 3 pages	September 21-25, 2003

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE